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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/736,081

12/15/2003

Alan G. Dry

1-74127

3258

27377

7590

04/24/2006

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA-FOURTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER

ORTIZ, ANGELA Y

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/736,081

Applicant(s)

DRY ET AL.

Examiner

Angela Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-24, 29-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Lawson, USP 5,835,510.

The cited reference teaches the claimed method of manufacturing a composite for an automotive trim panel assembly, comprising the steps of providing a rigid thermoplastic substrate 12 (claims 22,23,33), readable on the claimed vehicle trim component, and a bonding layer 32, readable on the claimed coverstock or first material, wherein one includes a thermoplastic material (claims 21, 32). The method further includes providing the substrate with a predetermined inherent thickness (see col. 7, lines 33-38, claims 24, 31, 34) having a bonding surface 14 on one side and a contiguous residue surface 16. A heating device 34 heats the bonding surface 14 using controlled heating such that the bonding surface 14 is molten enough to flow without any heat soaking, melting or damage to the residue layer of substrate 12 (claims 29, 30, 35, 37-40). This step demonstrates the claimed limitation of melting only a portion as newly claimed, as one surface is molten but not the other surface. Bonding layer 32 is brought into pressurized contact with the bonding surface 14 until a bond at the

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interface is created (claims 37, 39). The heating source includes radiant heat (claims 36, 38, 40). See col. 5, lines 25-65; col. 6, lines 1-5, 15-45; col. 7, lines 20-30, 50-55.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawson, USP 5,853,510.

The cited reference substantially teaches the basic claimed method of manufacturing a composite for an automotive trim panel assembly, comprising the steps of providing a rigid thermoplastic substrate 12, readable on the claimed vehicle trim component, and a bonding layer 32, readable on the claimed coverstock or first material, wherein one includes a thermoplastic material. The method further includes providing the substrate with a predetermined inherent thickness having a bonding surface 14 on one side and a contiguous residue surface 16. A heating device 34 heats the bonding surface 14 using controlled heating such that the bonding surface 14 is molten enough to flow without any heat soaking, melting or damage to the residue layer of substrate 12. This step demonstrates the claimed limitation of melting only a portion as newly claimed. Bonding layer 32 is brought into pressurized contact with the bonding surface 14 until a bond at the interface is created. The heating source includes radiant heat. See col. 5, lines 25-65; col. 6, lines 1-5, 15-45; col. 7, lines 20-30, 50-55.

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The cited primary reference does not teach that the substrate is multilayered or includes a cover layer and the thermoplastic material, or the claimed melted thickness.

Note that col. 7, lines 30-40 discuss a thickness range for the substrate, and col. 8, lines 8-16 clearly state that the substrate is melted on one surface but not the other. Thus only a portion of the substrate, for a desired thickness, is melted. It would have been obvious to one of ordinary skill in the art at the time the invention was made to achieve the claimed melted thickness, as any range less than the total thickness of the article would have been melted.

With respect to claims 26-28, note that multilayered substrates are conventional in the art and it would have been obvious to one of ordinary skill in the art at the time the invention was made for providing a versatile substrate useful and decorative, having properties from multiple materials.

Claims 21-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanchez et al., USP 5,756,026 (of record) in view of Van Ert et al., USP 6,146,578 for the reasons cited in the previous office action.

The cited primary reference substantially teaches the basic claimed method of forming an interior trim component comprising a composite of textile fabric coated with a moldable plastic backing layer (claim 22). Note that the fabric and backing layer are readable on the component, coverstock and substrate as claimed. The backing layer is exposed to radiant heating in a preheating process prior to placing the fabric within the mold, until the backing layer has softened or melted (claims 29, 30, 35, 36). The fabric

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is preheated to a temperature above the melting point of the backing layer, and is brought into contact with the backing layer so as to bond the two layers. The two layers are placed within the mold cavity of a compression molding apparatus. A compression molding process is performed as is well known in the molding art. See col. 5, lines 1-30, 60-67 and col. 6, lines 1-13, 55-67.

The cited primary reference does not teach a multilayered first material as claimed, a rigid panel, melting only a portion, the claimed thickness range or moving the components into engagement, per se.

The added secondary reference teaches molding vehicle interior trim components (col. 3, lines 5-12) by providing at least one heated plastic substrate and cover member, and bringing the two parts into engagement wherein a sealed composite is formed. See col. 5, lines 5-45; col. 6, lines 25-50.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide and move two separate layers into engagement as shown in the added reference, when performing the process set forth in the primary reference, for molding and shaping a vehicle trim component having the desired layers.

With respect to claims 26, 27, note that the cited primary reference does set forth that the fabric layer may be a composite of thermoplastic materials, as well as a textile fabric with a thermoplastic face layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to so include any number of conventional materials, including composite layers as claimed and similarly shown in the applied reference, for molding a trim component of varied equivalent materials.

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With respect claims 25, and to the claimed melted range, note that such ranges are conventional in the molding art and are further readily determined through routine experimentation.

With respect to claims 23, 24, 28, 31, 33, 34, and making a rigid panel and melting only a portion of the material, note that the primary reference does not preclude heating only portions of the fabric, and to select a localized area for heating is well within the level of ordinary skill in the art, and would have been obvious to one of ordinary skill in the art at the time the invention was made for providing the desired result only within the localized area. Note that both references set forth a shape-sustaining component, which is readable on a rigid panel, as both do not change their shape.

Note that melting only a portion as newly claimed is readable on melting only a portion of the thickness as set forth previously in claims 24, 31, 34 and was addressed in the previous rejection in the paragraph above.

Response to Arguments

Applicant's arguments with respect to claims 21-40 have been considered but are moot in view of the new ground(s) of rejection.

Note that the newly claimed limitations of melting only a portion has been fully addressed in the above rejections, as well as the arguments filed in support of the new amendment.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USP's 5854149; 6287678.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

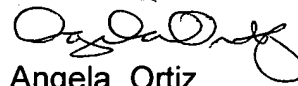
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Ortiz whose telephone number is 571-272-1206. The examiner can normally be reached on Monday-Thursday 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 571-272-1196. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Angela Ortiz
Primary Examiner
Art Unit 1732

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